

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ERIC ALAN DODD,

Plaintiff,

v.

DOMINICK DEROSE,

Defendant.

CIVIL ACTION NO. 1:15-CV-01088

(RAMBO, J.)
(MEHALCHICK, M.J.)

ORDER

AND NOW, this 25th day of August, 2015, **IT IS HEREBY ORDERED**, for the reasons set forth in the Memorandum filed concurrently with this Order, that Plaintiff's complaint ([Doc. 1](#)), be **DISMISSED WITHOUT PREJUDICE**. Plaintiff is granted leave to file an amended complaint, if he chooses to do so, within **thirty (30) days** of the entry of this Order. Failure to file an amended complaint within this timeframe will result in a recommendation of dismissal of this civil action in its entirety. Alternatively, in the event Plaintiff elects to file a petition for writ of habeas corpus under [28 U.S.C. § 2241](#), he must submit, in an entirely separate action, a properly executed application to proceed *in forma pauperis*, together with his petition for writ of habeas corpus under [28 U.S.C. § 2241](#).

Dated: August 25, 2015

s/ Karoline Mehalchick

**KAROLINE MEHALCHICK
United States Magistrate Judge**